

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: OHNOGI et al

Appln. No. 09/890,875

Date Filed: August 7, 2001

For: REMEDIES



Art Unit: 1617

Examiner: S.Hui

Washington, D.C.

Atty.'s Docket: OHNOGI=1

Date: February 14, 2002

Confirmation No. 9130

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THE COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

Sir:

Transmitted herewith is a [X] REPLY: AMENDMENT AND REMARKS in the above-identified application.

[ ] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted

[ ] A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.

[ ] No fee is required.

The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	*	MINUS	** 20	0
INDEP.	*	MINUS	*** 3	0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

SMALL ENTITY	
RATE	ADDITIONAL FEE
x 9	\$
x 42	\$
+ 140	\$
ADDITIONAL FEE TOTAL	
	\$

OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE
x 18	\$
x 84	\$
+ 280	\$
TOTAL	
	\$

OR

OR

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
 \*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.  
 \*\*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[XX] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

## Small Entity

## Response Filed Within

- [ ] First - \$ 55.00  
 [ ] Second - \$ 200.00  
 [ ] Third - \$ 460.00  
 [ ] Fourth - \$ 720.00

Month After Time Period Set

## Other Than Small Entity

## Response Filed Within

- [XX] First - \$ 110.00  
 [ ] Second - \$ 400.00  
 [ ] Third - \$ 920.00  
 [ ] Fourth - \$ 1440.00

Month After Time Period Set

[ ] Less fees (\$ ) already paid for \_\_\_ month(s) extension of time on \_\_\_\_\_.

[XX] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$110.00.

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: OHNOGI=1

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Hiromu OHNOGI et al	)	Examiner: S. Hui
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	)	
Date Filed: August 7, 2001	)	Confirmation No. 9130
	)	
For: REMEDIES	)	February 14, 2002

REPLY: AMENDMENT AND REMARKS

Honorable Commissioner for Patents  
Washington, D.C. 20231

Sir:

Replying to Paper No. 4, the Office Action mailed October 23, 2001, petition for one month's extension of time and late fee being attached hereto, please amend as follows:

IN THE CLAIMS

Delete claims 1-3 and insert in their place the following new claims:

4. (New) A pharmaceutical composition for treating or preventing a disease that requires enhancement of growth factor production for its treatment or prevention and/or a disease that requires enhancement of interleukin-12 production for its treatment or prevention,

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